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MCI WORLD COM

1801 Pennsylvania Avenue, NW
Washington, DC 20006

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February 3, 2000

EX PARTE

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

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FEB - 3 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

CC Docket No. 99-295

Dear Ms. Salas:

On February 2, 2000, Rob Lopardo, Kim Scardino, Keith Seat, John Lambros, and I of MCI WorldCom met with Brad Berry, Richard Welch, Mark Siefert, and Tonya Rutherford of the Enforcement Bureau and Eric Einhorn of the Common Carrier Bureau. During the meeting, we discussed the deficiencies in Bell Atlantic's performance that are significantly impeding MCI WorldCom's ability to offer local service in New York. Among other issues, we explained the competitive harm and severe customer impact resulting from Bell Atlantic's continued failure to fix the problems causing it to lose, misplace, or otherwise not provide to MCI WorldCom order acknowledgments, firm order confirmations (FOCs), and notices of completion (NOCs). We stated that this problem existed when Bell Atlantic filed its application (*see* MCI WorldCom's reply comments at pp. 9-11) and has worsened. We stated that currently the backlog of missing orders stands at approximately 70,000, which significantly exceeds the number of missing orders in prior months.

As we discussed, without FOCs, MCI WorldCom cannot confirm the scheduled due dates for service to its customers or keep customers informed of the status of their orders. Without NOCs, MCI WorldCom cannot begin billing its customers or provide customers with adequate service and support. In addition, customers who believe they have switched to MCI WorldCom but whose orders have not gone through, may not pay their Bell Atlantic bills, resulting in a loss of dial-tone altogether if Bell Atlantic cuts them off. MCI WorldCom has discussed repeatedly these issues with Bell Atlantic, to no avail, and has brought it to the attention of the New York Public Service Commission (*see* attached letter from Kimberly Scardino, MCI WorldCom, to Daniel Martin, New York Public Service Commission, dated Dec. 17, 1999).

During the meeting we also discussed several procedural issues associated with filing backsliding complaints against Bell Atlantic, with a specific emphasis on how best to ensure that backsliding by Bell Atlantic is handled as swiftly and efficiently as possible.

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DTI

In accordance with section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, an original and one copy of this memorandum are being filed with your office.

Sincerely,

A handwritten signature in black ink, appearing to read "Lori Wright", with a stylized, cursive script.

Lori Wright

Senior Manager, Regulatory Affairs

cc: Brad Berry
Richard Welch
Mark Siefert
Tonya Rutherford
Eric Einhorn

By Overnight and Electronic Mail

December 17, 1999

Mr. Daniel Martin
New York Department of Public Service
Three Empire State Plaza
Albany, New York 12223-1350

Re: *Expedited Dispute Resolution for Missing Notifications*

Dear Mr. Martin:

MCI WorldCom hereby requests Expedited Dispute Resolution to resolve an issue between MCI WorldCom and Bell Atlantic-New York ("BA-NY"). Thousands of new MCI WorldCom local customers continue to be billed by BA-NY because of a BA-NY system error that has resulted in missing notices of completions for UNE-P orders placed with BA-NY since August 1999. During OSS testing, KPMG uncovered this same deficiency on January 6, 1999. In addition, MCI WorldCom is not receiving acknowledgments and firm order confirmations for all orders it submits to BA-NY. MCI WorldCom has attempted to resolve this dispute through numerous meetings and conference calls with Bell Atlantic, including executive-level meetings. MCI WorldCom, however, has seen little improvement in BA-NY's willingness to resolve a problem about which BA-NY has known since early 1999. This matter is directly impacting MCI WorldCom's customers, and therefore MCI WorldCom requests Staff resolution of this dispute by December 23, 1999.

MCI WorldCom has attempted to work with BA-NY to resolve the backlog of missing notifications and to address the underlying cause of the problem. Unfortunately, despite these efforts, the backlog of lost orders is increasing, not decreasing, and MCI WorldCom has not seen any improvement in BA-NY's ability to provide these basic status notices on a day-to-day basis. The root cause or causes of these problems must be identified and permanently fixed. BA-NY's approach has been to address the problem on an order-by-order basis, which is simply not practical given the magnitude of the problem. I have attached a spreadsheet that lists the current volume of missing acknowledgements, firm order confirmations and notices of completions.

MCI WorldCom is available to discuss this issue with you and Bell Atlantic.
Please let me know if you would like any additional information.

Very truly yours,

Kimberly A. Scardino
Attorney
(212) 519-4090

Enclosure

BAN - PENDING ACKNOWLEDGEMENTS Past Due Date

Month	Report date Total # Outstanding	Report date Total # Outstanding	Report date Total # Outstanding	Report date Total # Outstanding	Report date Total # Outstanding
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	6-Dec	7-Dec	8-Dec	9-Dec	10-Dec
Aug					0
Sept					4370
Oct					6423
Nov					20342
Dec					12427

Month	Report date Total # Outstanding 8/3 - 11/30	Report date Total # Outstanding 8/3 - 12/1	Report date Total # Outstanding 8/3 - 12/2	Report date Total # Outstanding 8/3 - 12/3	Report date Total # Outstanding 8/3 - 12/6
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	6-Dec	7-Dec	8-Dec	9-Dec	10-Dec
Aug	15	15	15	15	15
Sept	279	279	278	278	277
Oct	360	360	359	359	359
Nov	3505	3505	3473	3267	3185
Dec		430	926	1861	1782
Total	4159	4589	5051	5780	5618

BANK PENDING COMPLETIONS BY DATE

Month	Report date Total # Outstanding 8/3 - 11/30	Report date Total # Outstanding 8/3 - 12/1	Report date Total # Outstanding 8/3 - 12/2	Report date Total # Outstanding 8/3 - 12/3	Report date Total # Outstanding 8/3 - 12/6
	6-Dec	7-Dec	8-Dec	9-Dec	10-Dec
Aug	406	406	370	370	370
Sept	3160	3157	3156	2836	2834
Oct	4717	4600	4544	4283	4263
Nov	9983	9778	9723	9154	9145
Dec		780	1120	1072	1159